

U.S. Application No. 09/699,019, filed October 27, 2000
Attorney Docket No. 15258US05
Response to Provoke Advisory Action dated May 21, 2007
In Reply to Office Action Made Final mailed February 21, 2007

REMARKS

Claims 1-66 are pending in the present application. The Examiner has merely objected to claims 2-11, 14-19, 36-45 and 47-53. Claims 1, 12, 13, 20-35, 46 and 54-66 stand rejected under 35 U.S.C. § 103(a) as being obvious. Claims 20-30 stand rejected under 35 U.S.C. § 102(b) as being anticipated.

I. ANTICIPATION REJECTION

Claims 20-30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 6,020,783 (“Coppola”).

Claim 20 recites “generating means for generating an output signal comprising a plurality of phases of an input signal”.

On the other hand, Coppola describes that the output of each notch filter path 14, 20, 24 is a signal that is always 180 degrees out of phase with the undesired spectrum.

Coppola states “[h]ence, the phase shift circuits 40 and 41 provide a simple and efficient means for maintaining the 180° out-of-phase relationship between an undesired spectrum and the mirrored spectrum from a notch filter path”.

Also, how can, for example, notch filter path 14 in Coppola have an output with a plurality of phases of the input signal?

As described above, the output of notch filter path 14 in Coppola has ONE phase which is a 180 out-of-phase relationship.

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An output with ONE phase as in Coppola is NOT an output with a plurality of phases as set forth in claim 20.

Claim 20 also recites “notching means for notching a particular frequency of the input **as a function of the phases**” (bold added).

On the other hand, Coppola does not describe notching a particular frequency as a function of the phases.

Since Coppola does not describe each and every element as set forth in claim 20, Coppola does not anticipate claim 20 and its rejected dependent claims (i.e., claims 21-25).

It is respectfully requested that the anticipation rejection be withdrawn with respect to claim 20 and its rejected dependent claims (i.e., claims 21-25).

Claim 26 recites “generating an output signal comprising a plurality of phases of an input signal; and notching the particular frequency of the input signal as a function of the phases”.

Accordingly, the same or similar arguments, if applicable, can be made with respect to claim 26 as were made with respect to claim 20.

For at least the above reasons, Coppola does not describe each and every element as set forth in claim 26. It is respectfully requested that the anticipation rejection be withdrawn with respect to claim 26 and its rejected dependent claims (i.e., claims 27-30).

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II. PATENTABLE SUBJECT MATTER

Applicants gratefully acknowledge the indication by the Examiner that claims 2-11, 14-19, 36-45 and 47-53 recite patentable subject matter. However, in view of the remarks below, it is believed that claims 2-11, 14-19, 36-45 and 47-53 are in condition for allowance.

III. CLAIM 1

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being obvious over Coppola in view of United States Patent No. 6,804,359 B1 (“Yu”). Applicants respectfully traverse the rejection as set forth below.

Applicants respectfully request the Examiner to reconsider the obviousness rejection as set forth in the Response filed January 8, 2007, which is incorporated by reference in its entirety for completeness herein.

In that Response, Applicants respectfully argued that

- (A) Coppola teaches away from the claimed invention as set forth in claim 1;
- (B) Coppola and Yu do not teach each and every element as set forth in claim 1; and
- (C) Yu teaches Away from Coppola.

It is respectfully requested that the Examiner reconsider the rejection of claim 1 under 35 U.S.C. § 103(a) and withdrawn the rejection.

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IV. CLAIMS 12, 13, 31-35, 46 AND 54-66

Claims 12, 13, 31-35, 46 and 54-66 stand rejected under 35 U.S.C. § 103(a) as being obvious over Coppola in view of Yu. Applicants respectfully traverse the rejection as set forth below.

Applicants respectfully request the Examiner to reconsider the obviousness rejection as set forth in the Response filed January 8, 2007, which is incorporated by reference in its entirety for completeness herein.

For at least the reasons as set forth in the Response filed January 8, 2007, the rejection under 35 U.S.C. § 103(a) should be withdrawn with respect to claims 12, 13, 31-35, 46 and 54-66.

It is respectfully submitted that claims 12, 13, 31-35, 46 and 54-66 are also patentable for other reasons made clear in view of the specification, the prosecution history and/or the documents of record, individually or combined.

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V. CONCLUSION

In view of at least the foregoing, it is respectfully submitted that the pending claims 1-66 are in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: May 21, 2007

Respectfully submitted,

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